

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter, on the Commission's own motion,)	
directing RCI Broadband to show cause why it)	
should not be found to be in violation of the)	Case No. U-18329
Uniform Video Services Local Franchise Act,)	
2006 PA 480, MCL 484.3301 <i>et seq.</i>)	
_____)	

At the May 31, 2017 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Sally A. Talberg, Chairman
Hon. Norman J. Saari, Commissioner
Hon. Rachael A. Eubanks, Commissioner

ORDER

On March 28, 2017, the Commission issued an order to show cause, finding that RCI Broadband (RCI) may be in violation of the Uniform Video Services Local Franchise Act, 2006 PA 480, MCL 484.3301 *et seq* (the Act). Specifically, based on information from the Commission Staff (Staff) indicating that RCI had failed to make required filings and was unresponsive, the Commission found that RCI had failed to provide information to the Commission required under MCL 484.3309(4) and 484.3312(2).

The Commission directed RCI to show cause why it should not be found to be in violation of these provisions of the Act. RCI was ordered to file a response in this docket by 5:00 p.m. on April 25, 2017, accompanied by pre-filed direct testimony, exhibits, work papers, and affidavits,

and to appear with counsel at a prehearing conference scheduled for 9:00 a.m. on May 26, 2017, before Administrative Law Judge Sharon L. Feldman at the Commission's offices.

On April 25, 2017, RCI filed a letter requesting that this proceeding be dismissed because it does not provide any video/cable television services and holds no franchise agreements in Michigan. On May 12, 2017, RCI filed the affidavit of Adam Collard, President of RCI, in which he states that RCI no longer provides any video/cable television services in Michigan and has never held a Video Services Local Franchise agreement, and that RCI's 2015 annual report contained erroneous information.

On May 19, 2017, RCI and the Staff filed a joint motion to dismiss this proceeding. The motion explains that the Staff is satisfied that the affidavit addresses the Commission's concerns, and that MCL 484.3309(4) and 484.3312(2) are inapplicable.

Based on the affidavit and the motion, the Commission finds that this show cause proceeding should be dismissed.

THEREFORE, IT IS ORDERED that this show cause proceeding is dismissed.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so by the filing of a claim of appeal in the Michigan Court of Appeals within 30 days of the issuance of this order, pursuant to MCL 484.2203(12). To comply with the Michigan Rules of Court's requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel. Electronic notifications should be sent to the Executive Secretary at mpscedockets@michigan.gov and to the Michigan Department of the Attorney General - Public Service Division at pungp1@michigan.gov. In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

Sally A. Talberg, Chairman

Norman J. Saari, Commissioner

Rachael A. Eubanks, Commissioner

By its action of May 31, 2017.

Kavita Kale, Executive Secretary